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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
UTILITY PATENT APPLICATION TRANSMITTAL

Attorney Docket No.: P-9406.00
 Express Mail No.: EL 799067883 US

First Named Inventor or Application Identifier: RODOLFO PADUA, CARL A. SCHU, MATTHEW D. BONNER,
 MAURA G. DONOVAN, ORHAN SOYKAN
 Title: METHOD OF CONTROLLING GENE EXPRESSION BY ELECTRICAL STIMULATION

CERTIFICATE UNDER 37 CFR SECTION 1.10. I hereby certify that this New Application Transmittal and the documents referred to as enclosed therein are being deposited with the United States Postal Service, in an envelope address "EXPRESS EL 799067883 US addressed to Box Patent Application, Commissioner of Patents and Trademarks, Washington, D C 20231, on this DECEMBER 20, 2001

Juanita I. Trautler
 Printed Name

Signature

jc5564 U.S. PTO
 10/02/655
 12/20/01

BOX PATENT APPLICATION
 U.S. Patent and Trademark Office
 P.O. Box 2327
 Washington, D.C. 20231

Sir:

We are transmitting the following:

- ☒ **Patent Application Transmittal**
☒ **Specification**

Total Pages: 74 (cover/title page 1 sheet; specification 60 sheets; sequence 7 sheets; claims 5 sheets; abstract 1 sheet)

- ☒ **Drawings**

Total Sheets: 15 (formal; ☒ informal)

- ☒ **Combined Declaration and Power of Attorney:**

- ☒ Newly executed
☐ Copy from prior application
☐ Deletion of inventor(s) -- signed statement attached deleting inventor(s) named in the prior application (37 CFR 1.63(d)(2) and 1.33(b))
☒ Incorporation by reference -- *The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied above is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference herein.*

- ☒ **Accompanying application parts:**

- Notification of filing a Continuation Divisional Continuation-in-Part
☒ Assignment of the invention to Medtronic, Inc.
☒ Assignment cover sheet
☒ Information Disclosure Statement
☒ PTO Form 1449
☒ Copies of IDS citations
☒ Sequence Listing and Disk
☐ A copy of the Petition or Condition Petition for Extension of Time in the prior application
☒ Return postcard

IF A CONTINUING APPLICATION:

- ☐ Continuation Divisional Continuation-in-Part
 of prior application no.
☐ Amend the specification by inserting before the first line the sentence: This application is a
 Continuation Divisional Continuation-in-Part of application number filed
☐ Cancel in this application original claims of the prior application before calculating the filing fee. (At least one of the original independent claims must be retained for filing purposes.)
☐ The prior application is assigned of record to Medtronic, Inc.
☐ The Power of Attorney in the prior application is to:

☒ This application claims the benefit of U.S. Provisional Application(s) Serial No. 60/257,460 FILED DECEMBER 21, 2000 and 60/313,926 FILED AUGUST 20, 2001.

☒ Address all future correspondence to:
Kenneth J. Collier
Reg. No. 34,982
Medtronic, Inc.
710 Medtronic Parkway
Minneapolis, MN 55432-5604
Telephone: (763) 505-2521

FEE CALCULATION

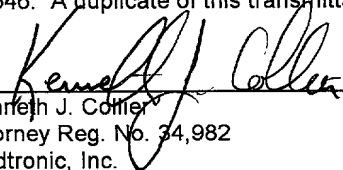
| | No. Of Claims Filed | Claims Included in Base Fee | No. Of Extra Claims | Rate | Fee |
|--|------------------------|--------------------------------|------------------------|--------------|------------------|
| Total Claims | 52 | 20 = | 32 | x \$ 18 | \$ 576.00 |
| Independent Claims | 5 | 3 = | 2 | x \$84 | \$ 168.00 |
| Multiple Dependent Claim(s) | 4 | 0 = | 4 | + \$ 280 | \$ 280.00 |
| Basic Filing Fee | | | 0 | | \$740.00 |
| | | | | TOTAL | \$1764.00 |

☒ Charge Deposit Account No. 13-2546 the sum of \$740.00 (Basic Filing Fee); Total Claims \$576.00; Independent Claims \$84.00; Multiple Dependent Claims \$280.00 and \$40.00 for Assignment recordation fee for a total of **\$1,804.00**.

☒ The Commissioner is hereby authorized to charge any fees which may be required under 37 CFR 1.16 and 1.17, or credit any overpayment to Deposit Account No. 13-2546. A duplicate of this transmittal is enclosed.

Date

December 20, 2001


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